ORIGINAL

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MR. OBERBAUER: My name is Tom Oberbauer, from the County of San Diego. And this evening, we're at the formal scoping meeting for the Otay River Watershed Special Area Management Plan, or SAMP. And with us here today, who are going to make presentations is Jae Chung, from the Army Corps of Engineers; and Laurie Monarres, from the Army Corps of Engineers; also Michelle Mattson; and additional people, Tracy Cline, in the back, is from the County Planning Department.

Michelle, I should mention, is from the Aspen Environmental. She is the consultant working on it. We also have Josie McNeeley, from the City of Chula Vista, and Hank Levine, from the City of Imperial Beach.

And basically the order of events that we're going to be going through this evening is we're going to give a presentation about the Special Area Management Plan and the process with me providing a background of it. And Jae is going to provide some more specific technical discussion about how SAMP works.

And Michelle is going to talk about how some of the things that are -- significant issues and resources and those kinds of things in the Otay River Watershed planning area.

After that, we have discussions of issues and questions. And since this is a formal scoping process, we're looking for formal comments. And you can either provide them in writing, submitting them before June 18th, to Laurie, at this address up here, or you can provide them later to the court reporter verbally, who is here.

And there are sign-in sheets in the back. There are the sign-in sheets in the back, and there are sheets in the back that you can fill out for specific comments.

Does anybody have any questions about that at this point?

Okay. I'm going to provide a little background about why the County of San Diego is interested in this SAMP process, and why we're even doing this, and why some of the other -- as a regulated agency, why we would be interested in doing this. Because there are other agencies, City of Chula Vista, City of Imperial Beach, City of San Diego that are also involved.

Since the Environmental Quality Act was -- the California Environmental Quality Act was put into place in the early 1970's, the mitigation for projects occurred frequently in a piece-by-piece or case-by-case basis. The result was often small patches of open space, and mitigation occurred in an uncoordinated fashion.

The Multiple Species Conservation Plan that was adopted by first the City of San Diego, and then the County of San Diego, and the City of Chula Vista, was generated as a means to create consistency in the process for environmental review and directed mitigation. So it helps assemble and preserve what's truly meaningful for the habitat conservation needs rather than small postage stamp properties, set aside throughout the area.

The MSCP program has been very successful in terms of creating more consistent review for mitigation of land development impacts. And it's attracted Federal and State funds so that significant areas of land have been acquired to implement the plan. While the MSCP applied to upland habitat and specific wetland species, it did not create coverage for the wetland habitats as a whole.

After the MSCP from the City of San Diego was approved, the City of San Diego created a Wetlands Task Force with representatives from the Army Corps of Engineers, the EPA, and the County of San Diego, and others, to identify a process for obtaining wetland coverage under the similar process and Multiple Species Conservation Program.

A watershed management plan has been created for the Otay River Watershed through coordination with the

City of San Diego, the County, the City of Imperial Beach, and the City of Chula Vista. This plan was approved about two years ago.

The Watershed Management Plan identifies goals and concepts for the Otay River Watershed; however, the concept of a SAMP is to provide a regulatory basis and framework for watershed planning.

The Otay River Watershed was selected as a prototype for the SAMP process because a large amount of the land has been set aside under the MSCP program, and some of it was already under public ownership. And there are pressures for urban development in the western portion.

From the standpoint of regulated agencies, the SAMP process is designed to pull together overlapping Federal, State, and local programs, as well as substantial data requirements, and create a coordinated process for obtaining a number of different Federal and State permits, similar to what the MSCP does for endangered species issues. However, a SAMP is even more comprehensive in that it addresses a much wider variety of permit types than the MSCP because there are a number of permits associated with State and Federal requirements for wetlands and waters in the United States.

The current process of project-by-project and

permit-by-permit mitigation and conservation, one spot at a time, cannot be efficient, cannot be made to be efficient. The SAMP is a means to bring all of these issues together and focus on conservation.

So at this point, I'm going to go to the next slide, please. So the purpose of the SAMP, the purpose of the SAMP in general, then, is to develop and implement a watershed base plan that provides for long-term, long-range preservation enhancement of important aquatic resources, while accommodating appropriate development, infrastructure, recreation, and other economic activities. And that is a key part of it. It preserves habitat; it is designed to protect wetland habitats; and it's also designed to facilitate the permitting process for appropriate types of development.

Next slide, please. The objectives are: Preservation and enhancement of existing aquatic resources in the Otay River Watershed; accommodation of development and other economic activities through a streamlined programmatic permitting process, under Section 404 of the Clean Water Permitting Program. It also coordinates among resource agencies and regulatory programs, including those related to aquatic resources, and endangered species and water quality.

As I mentioned, it ties together the MSCP-type

planning for wetlands and habitats. And it involves the acquisition of land and conservation easements to advance the preservation of important resources.

So all of these things are reasons why, as one of the regulated agencies, the County of San Diego is interested in seeing a Special Area Management Plan, or SAMP, created for the Otay River Watershed.

At this point, I'm going to turn over the discussion to Jae Chung, who will talk about the mechanics of the SAMP project.

MR. CHUNG: I'm with the Corps of Engineers. The Corps of Engineers has been in charge of the Section 404 permit program for over 30 years. We're always striving to improve our process in terms of protecting aquatic resources, in terms of developing a speedier resolution to some of these permit actions.

We have learned quite a bit over the years. We've learned that acres of impact directly affected by permit action isn't always the best indicator of what is in effect. Sometimes you have effects to maybe a small piece of wetland that has substantial consequences to habitat, water quality, or hydrology. And other cases, it might have larger impact to large amounts of these resources that have minimal effects to the aquatic environment overall. So we need to look at different

ways of measuring and assessing impacts than we currently do right now.

As you know, our program is based on permits. People apply to us for permits; we react. There isn't as much long-range thinking and planning that is possible under this current approach. We've learned we need to be proactive, take a larger perspective, in terms of both time and area, in order to have a better strategy in protecting these resources and minimizing certain delays to eligible activities.

One thing we've learned over the past ten years is, effective landscape changes. You can change the landscape, increasing permits cover the -- alter hydrology, without stepping one foot into the wetlands. And these overall effects in the landscape have drastic consequences into these aquatic resources. One thing we need to do concerning the larger landscape effects is better address them in order to have holistic protection of wetlands under aquatic resources.

The National Academy of Science, in 2001, has pointed out that our mitigation and restoration is often ineffective. It is often piecemeal. It doesn't look at larger pictures; and consequently, we're not doing the job that we're set out to do. That needs to change.

Lastly, one of the biggest complaints about our

permit program is that we don't address indirect effect and cumulative effect as well as we need to. This is a charge we need to fulfill. It's part of our regulation, and we have not been able to have techniques and methods to better address these requirements.

Next slide. So obviously, our permit program needs that improvement. We all know that; environmentalists know that; the developers know that. We need to develop something in place of our current system in order to accomplish everyone's objectives.

We understand the community has certain desires. We don't want a free pass. We want predictability and outcome in mitigation. We want better tools to help them plan better in the future. We also want to minimize their delays. Sometimes they want a permit action that would essentially give the environmental community what they need, but it could be accomplished within a short amount of time. They prefer that rather than taking three to six months.

The environmental community has certain desires, too. They want better protection of aquatic resources. Certain aquatic resources have key habitat, water quality, or hydrology services, and we need to better protect those for the public.

We need to have more effective compensatory

mitigation. A lot of the time, the environmental community gets frustrated at seeing wetlands being impacted, and the compensation not addressing those losses. We need to do a better job with that.

And we believe that the current approach, by looking at the watershed, is more effective than what we're doing now. It helps us plan for a long-term future over a larger area. It helps us be more effective in planning strategically, and it will help us get better outcomes than we currently do.

Next slide. The essential philosophy is that not all aquatic resources are equal, right. Some of the aquatic resources have a lot of functions; some do not. It is important to identify those types of resources that have different levels of functions.

The aquatic resources will allow habitat, water quality, or hydraulic function needs to be better protected. We need to minimize impact to those types of resources because they'll have immediate benefits to downstream in the surrounding area.

Conversely, there is lower-value aquatic resources that aren't used by birds, invertebrates, amphibians, or reptiles that don't have much hydrology services and that don't have much water-quality benefits. We believe we need to have a different approach towards

regulating those types of resources.

And our key here is to identify those higher-integrity resources in the watershed. We call them aquatic resource integrity areas. Where we find them will determine how we develop our policies.

Next slide. The Corps expects a lot out of the SAMP. We expect full input from all interested parties, local concerned groups, environmentalists, developers, homeowners, trails people, recreational activists. We need that kind of response and input from everyone involved in order for this to work.

We also need full involvement by State and Federal agencies, the Department of Fish and Game, the EPA, the regional boards. Their input needs to be considered and provided.

Our decision-making will be supported by the best available science and data. Given this is a large area, we rely heavily on remote sensing. We can conduct remote sensing test studies effectively and cheaply. And we'll rely on much remote sensing data in order to support our decision-making.

We'll also look at the current literature on watersheds and landscapes. Again, much has been written in the past ten years that address and pretty much cover buffer zones and other effects on the landscape that are

relevant to our concerns.

Ultimately, the Corps seeks a win-win solution. We want a balance between reasonable economic development and environmental protection. We believe that everyone at the table must have some perception of gain, otherwise, we're not doing our process right. So everyone here at the table, we need to consider your concerns and best address them adequately.

And the next slide will be taken over by Michelle Mattson, who will cover the specifics of what's been done and the technical base plan.

MS. MATTSON: Hi. Okay, so I'm going to provide a quick watershed overview, talk about the WMP and the SAMP, and how they are complementary plans. I'll talk a bit about the WMP components that are beneficial to the SAMP and then the SAMP components and what is next. So our watershed is 93,000 acres. It's a pretty large watershed for Southern California. The population in housing and work places in this watershed are anticipated to double in the next 20 years or so.

As you can see by the map here, most of the open space, or MSCP preserve areas, are east of the Otay Lake. Most of the existing development is located west of the Otay Lake, with a couple of exceptions there, Otay River main stem runs down the center of this lower portion of

the watershed. That is within the OVRP, and it is anticipated to be preserved. And the U.S. Fish and Wildlife Refuge is right adjacent to the San Diego Bay. Currently, there is about 54 percent of the watershed within preserves -- within existing or acquired preserves.

Next slide. So the WMP and the SAMP are complementary, but they're different in key ways. The WMP is a planning-level document. It developed watershed management strategies. So first, we identified some goals for the watershed that were important to the stakeholders in the community, and we identified and evaluated problems and devised solutions to those problems. Again, it is a planning-level document. It is for the watersheds, so it addresses both the aquatic resources and the uplands.

The SAMP is a comprehensive aquatic resource regulation and planning document, focused again on the aquatic resources that are regulated by different regulatory agencies, like the Corps, through Section 404 of the Clean Water Act, but also the Regional Water Quality Control Board, through Section 401 of the Clean Water Act, as well as California Department of Fish and Game, through Section 1600 of the State Fish and Game Code.

The SAMP is designed to balance the protection, restoration, and enhancement of the aquatic resources with existing and future land uses. The SAMP is the -- or the WMP is the foundation -- well, yes. A lot of the baseline data we have collected so far, and the WMP process, is a foundation for the SAMP and for permit streamlining. So some of the WMP components that benefit the SAMP include a whole suite of baseline studies that were done.

We've compiled a lot of existing data. You can look around the room and see maps here of vegetation, soils, geology, etc. There has been some analysis completed on specific best management practices that are applicable to this watershed, the types of soils and geology that are here in this watershed and that are most affected.

There have been a suite of strategies designed for the watershed to protect, enhance, restore, and manage watershed resources, not just aquatic resources, but again, terrestrial resources as well. And these baseline studies, as I just said, are the foundation for evaluating the project alternatives that we'll be looking at through the SAMP process.

Next slide. So here is just four graphics of -- you know, just like you see around the room, some of the

baseline data that has been compiled. So the top is a shaded relief maps, so it's going to show topography in the watershed, vegetation communities, soils, and geologic formations.

Next slide. So again, through the WMP process, we developed several strategies recommended to protect, enhance, and restore and manage watershed resources. Many of those will be either fully or partially implemented through the SAMP, and that includes: Eradication of non-native flora and fauna in the Watershed; and prevention of re-infestation; implementing setbacks or buffers to aquatic resources for new development; protecting and enhancing habitat linkages; restoring the lower Otay River flood plain; and restoring urban creeks.

So all of these things sound like they're very beneficial to aquatic resources, right, but they have temporary impacts. So all restoration activities, removing concrete from streams, etc., require a permit. The SAMP is a way to obtain those permits without having to go through a lengthy regulatory process.

Next slide. So the SAMP -- some of the initial components of the SAMP have already been started, and that includes technical studies developed by the Army Corps of Engineers. So the Corps has already completed

planning-level delineation and assessment of riparian ecosystem integrity. We've identified the overall project purpose for the SAMP. We're currently in the process of developing, analyzing alternatives, and then we'll start the development of mitigation monitoring and management plan.

We'll complete a NEPA and CEQA review, and then finally, obtain permits, including regional and programmatic permits through Section 401 of the Clean Water Act. So this is also -- it's also up on the wall here, this is the Corps' planning-level delineation.

The Corps is using remote sensing maps in all of the streams that are anticipated to be regulated by them and by Fish and Game. They mapped them into three different types of -- or three different types of streams: Washes, tributaries, and main stems. We've modified this map slightly.

We've included vernal pool mapping that was done by -- or compiled by the U.S. Fish and Wildlife Service. And we've applied some -- we've worked with the Corps to apply some widths to several types of streams that were mapped as line data.

So in order to use this to estimate the amount of acreage in the watershed and to assess different alternatives, and compare impacts to aquatic resources,

we needed to be able to estimate acreage. So we've applied some widths, made some assumptions, and applied some widths to line data that was compiled by the Corps.

Next slide. So here are three maps. Again, they're up here if you want to look at them more closely. These are graphics of the Corps' assessment of riparian ecosystem integrity. They assess 27 different variables and put them in some very complicated algorithms and provide integrity indices for habitat, water quality, and -- what is the third one? And hydrology, that's right.

The hydrology and waterfalling score are very similar. Those are on the bottom. You can see, the highest-scoring aquatic resources overlap with existing open space, and so that is in the dark green area. So that's primarily east of the watershed; whereas, lower-scoring aquatic resources occur in the western portion of the watershed, where existing development is. And so you get those impacts from just being in close proximity to development.

Next slide. So right now, we're looking at developing a suite of SAMP alternatives. The SAMP alternatives will look at future land uses based on the existing general plan or on anticipated updated general plans. Alternatives will analyze traditional approach to

conservation, so as Tom and Jae had talked about, the traditional approach is either avoiding or mitigating on-site. So that would look at conservation of aquatic resources sort of on private property.

Alternatives will also analyze a watershed approach to conservation, which may include focus preservation enhancement, so in areas that we've identified as either having higher integrity or have been impacted for whatever reason but are adjacent to preserve areas and can benefit the Watershed by -- through enhancement or restoration.

There will be some alternatives that maximize open space, and then others, of course, that maximize development, alternatives that avoid specific aquatic resources, so high-integrity resources, and then alternatives that combine several of these approaches.

Next slide. There are going to be some no SAMP alternatives as well. There are three right now. One is a no action. So that would mean that no SAMP would be completed, and we would just continue on the existing program of project-by-project approach. The problem with this, as stated earlier, there is not a clear way for the regulatory -- regulators to assess indirect and cumulative effects.

The next no SAMP alternative is with no Federal

action and full realization of general plan. So that would mean that no impact to aquatic resources and watershed could occur. No permits would be issued, but that we would realize all of the land use anticipated in the general plan. So all aquatic resources would have to be avoided. You'd have to bridge them. We'd have streets, etc., and densities in the uplands may have to increase in order to realize what the general plans' goals are.

The final no SAMP alternative is, no Federal action and a partial general plan, same thing, except that we don't increase densities in the uplands in order to, you know, fully realize what the general plans have projected for future land uses.

Next slide. We're starting to develop the initial pieces of the mitigation monitoring and management plan. So first we're looking at the strategies that were developed in the WMP, including best management practices specific for this watershed, and developing a strategy for aquatic resource buffers, what is -- you know, what is an effective aquatic resource buffer? And is it different for different land use types?

We've already developed a model to identify suitable areas in the watershed for preservation,

enhancement, and restoration. I'll show you a map of that next. And we'll start to develop mitigation monitoring guidelines for aquatic resources.

So this -- anyone who is applying for authorization for a permit under the SAMP would have to comply with the mitigation monitoring management plan. They'd have to develop, design their plan to be in compliance, and whatever impacts they have would be permitted by the SAMP, and whatever mitigation -- their mitigation would have to comply with the plan.

So we would have focused mitigation in areas that we've identified as being most suitable, or having the most likelihood for success, and they would have to monitor those according to our criteria. They wouldn't be able to develop sort of their own habitat mitigation monitoring plan, which is what occurs now under the project-by-project program.

Next slide. This is a graphic that shows the outputs for our wetland creation enhancement model results. So a lot of variables went into this model, such as proximity to preserve areas, proximity to main stems, anticipation of adequate hydrology there to create additional aquatic resources.

The green areas are areas that were mapped within base of species, and so those are suitable for

enhancements. So enhancements could just include basic removal and replanting. So that is all that green through the OVRP, which is a project that is anticipated.

Let's see, what else? I think that's about it.

Next slide. And so what is next? The preparation of the SAMP and the preparation of the EIS, which is this scope in the meeting, in sort of a kickoff of developing EIS, the completion of the 404 B-1 analysis, and then issuing permits.

Are there any questions? No? Small group. Very nice.

MR. OBERBAUER: Again, this will be on the website for various -- the County is going to put it on our website under the MSCP program, and it's going to be on the Army Corps of Engineers' website as well.

So if you have any comments, you can fill out the sheet, you can mail them in, or you can speak to the court reporter.

MR. DICKEY: When you put it on the website, the maps especially, are they going to be any better than this? This is what I printed out this afternoon, and they're so small, you can't read anything on them. You just get a general idea. So there are a few of them that are okay, but the rest of them are worthless.

The idea is great. In here, it's great. I can

see it. And I've been working with this now for what, four years. But if that is what you're putting on the web, you're wasting your time.

MS. MATTSON: I don't think -- the public notice was completed by the Corps, and that's our fault because we didn't provide them with graphics in --

MR. DICKEY: There is only one per page, and the page is only a third filled. You see what I'm getting at?

MS. MATTSON: Yeah.

MR. DICKEY: And if you can enlarge it, please do.

MS. MATTSON: They're actually pretty -- they are pretty high-quality graphics; we just didn't provide them to the Corps in a way that they could --

MR. DICKEY: I tried to use a magnifying glass to read what it said. Glasses didn't do it.

I think otherwise, I've been buying this all along. I had one other question. And that is maybe a technical thing that shouldn't be brought up here. It's not a part of this. But it's a question, one of the ideas was -- we talked numerous times about Imperial Beach, Chula Vista, San Diego, and the County individually in this group, but in this one particular paragraph we're talking, we left Chula Vista out. And I

was wondered whether that was an oversight.

MS. MATTSON: I think that was an oversight.

MR. CHUNG: That was an oversight.

MR. DICKEY: Are you aware of where it is, what it is?

MR. CHUNG: Okay --

MR. DICKEY: I think Chula Vista should be included, and they were not.

MS. MATTSON: Yes.

MR. CHUNG: Yes.

MR. OBERBAUER: They were intended to be included.

MR. DICKEY: I used to do technical letters, and that's why I pick up on things like this.

MR. CHUNG: Thank you.

MR. PEUGH: Tom, can I ask a question. When I look at the documents, and the planning -- when I look at the document with the planning level, the integrity document, I came across a term "abandoned flood plain terrace," which is kind of dismissive. But obviously, the abandoned flood plain areas aren't abandoned. They aren't used every single year.

And you can see the problems we have in the San Diego River, where the abandoned flood plain there now has a storage whenever there is a nature flood. And

they -- many of the abandoned flood plain areas have been filled to higher levels to basically channelize the river to the fill area.

So I'm really concerned with that dismissive term. That could lead to this river looking like the San Diego River. And I don't see any reason the flood plains shouldn't be protected, including what is called the abandoned flood plain area. Because that's really essential.

And one really important part of this river is, it connects the South San Diego Bay national wildlife inland refuges, and they're both part of the MSCP, and that connection has wildlife that moves back and forth. And if you get rid of those flood plain terraces, then there is no high-water refuge for the wildlife. And so in the case of a serious flood, the wildlife would be eliminated.

So my hope is, those upper parts of the flood plain can be taken more seriously than the documents imply -- and the acquisition of the wetlands, one of the objectives is, acquisition of conservation land and easements, like the MSCP. But I asked around, and there doesn't appear to be any source of funding for acquiring high-value aquatic resources like there allegedly was for MSCP.

And so I don't know how that acquisition is going to be done until you get that on mitigation, which is usually not the least bit sufficient. And so I kind of would like to know -- what I'd like to have is some confidence that there really is a source of funds for acquisition and to acquire resources in this watershed.

And then another question is, since the Corps doesn't protect isolated wetlands and ephemeral streams, they are absolutely essential for the protection of our watershed. And so will they be protected under this program or not? If they aren't, the program, it simply isn't going to work, protecting the watershed.

And then I was concerned, one of the things I saw in the previous presentation, under alternatives, when the talk was for concentrating the mitigation and conservation in the MHPA, which to me, seems to be a philosophical problem. The MSCP said wetlands would be preserved inside and outside. So it seemed like leading toward only protecting the wetlands, and MHPA is a violation of the MSCP.

And I was concerned that the acquisition and integrity study talked about subsequent studies that will happen. But under habitat studies, it said "potentially," in parenthesis. And I don't know how you can effectively design this program without doing really

exhaustive habitat studies.

And another concern is, it comes from my association with the San Diego River, is the importance of linkages between tributaries and the river. And in the San Diego River, they're all isolated. And I hope when you talk about linkages, you're not only talking about across country linkages, but those linkages between tributaries and mainstream of the river.

And lastly, the geographics this time did talk about restoration potential. But again, I have a concern when you talk about looking at high value and low value, and not looking at whether the low value is essential for the integrity of the entire system. And that needs to be emphasized a lot more.

And I think that's it. Thank you.

MR. OBERBAUER: Should we try to respond to some of these now?

MR. CHUNG: Thank you, Jim. Those are excellent comments. Do you want the answers now, or do you want them in the future?

MR. PEUGH: Whatever you can do. I'm particularly worried about the one about the isolated wetlands.

MR. CHUNG: Let's go back, linkages -- and understand, we identify linkages that would be the higher

protected areas of upstream and downstream. We want to restore those, if possible. That's an objective; we want continuous riparian corridors, so we agree with you there.

If it's possible, we'd like to pursue it. We realize it's always going be hurdles in front of us. It's something worth attempting. Ecosystem integrity studies, the methods we use are actually very comparable to other ecosystem integrity studies. One study we did was for AD index of biological integrity. And we realized that our habitat index scores have a high correlation with AD and IBI scores. So we believe our habitat index scores are well -- consider other habitat studies very well.

So we think the high correlation merits the use of this type of methodology, which is faster and more cost effective.

Alternatives that would concentrate mitigation and MSCP areas, I don't have an answer for that right now. We'd like to restore not just areas within the MSCP, but outside. Because there is still habitat outside the MSCP protected areas that should be considered.

Are we able to restore all of them? Well, that is a tall order. It's worth trying, but I can't

guarantee that that would be realized. Will isolated and Federal streams be protected? Some of them already are. We have to determine isolation and jurisdiction on a case-by-case basis. So I would say, in practice, a lot of them would be, it's just we can't say that our program would protect all of them. It's always hard to find that particular nexus between some of these features and our statutory authority as defined by the Supreme Court.

MR. PEUGH: Can I ask about the Fish and Game requirements that are different than yours, and apparently you're going to incorporate Fish and Game permitting in this, too, so it seems like in that case, you're obligated to.

MR. CHUNG: And a lot of times if you protect uplands, you'll protect some of these features as a by-product. They may not necessarily be directly protected, but they may be a by-product of the efforts of MSCP and the SAMP's.

MS. MATTSON: But the Corps' delineation did map streams, right. All the washes that are shown in orange on here, like this brown color, those are the ephemeral washes. The uplands that don't support riparian habitat, that are vegetated primarily with uplands.

MR. PEUGH: I'm just concerned the watershed

will degrade seriously if those aren't protected by somebody. If the SAMP is going to do all the aquatic resources and protection, it needs to be in the SAMP.

MR. CHUNG: It's a challenge, let's say that. It's a challenge. I can't say where we'll be at the end of the day, but that's something that is to be considered. But there are obviously challenges to doing what we want to do in terms of protecting the watershed. I can't give you any final answer on that right now. That's why we have you here to prepare the EIS.

Your second comment about acquisition of land, well, that is something the County and the Corps will discuss. Obviously that's a good question, where is the money coming from. That's a legitimate concern. The agencies don't have money coming out of their pockets and neither do we. At the same time, that is a goal, how do we best achieve that given that that money isn't free.

The second comment about abandoned flood plains, that's just a term. Just by calling them "abandoned," we meant they aren't currently flooded on a regular basis, maybe 200 years ago they were, but nowadays, with the insignificance of some streams, you often have flood plains that are hydrologically isolated from the actual stream bed. It doesn't mean that we're dismissing them. We're just saying, hydrologically, they're abandoned from

most normal storm events. It doesn't mean we ought to abandon them. It just means that hydrologically, that's what they are. So that's a different topic.

MR. PEUGH: I don't think we have any like that, that were flood plain at one time and some geological change that made them that they aren't. In fact, I think most of what you'd call abandoned flood plains are more likely to be flooded in the future. As our water gets harder and peak flows are higher, there is more likelihood of those abandoned flood plains being utilizing carrying water than there was in the past. So the shift is in the up direction, not the down direction.

MR. CHUNG: But we want to prevent that increase of flows because that has an adverse effect to downstream areas. We want to minimize flooding, we want to minimize excessive flows from urban runoff. I think our goal is to make these areas look like what they did maybe 200 years ago. More water isn't always better.

MR. PEUGH: That's fine for increasing the water that comes down the street in a normal situation. But when you increase the water in peak flows, that causes a lot more habitat encroachment and a lot more erosion, and a lot more downstream water quality. So I don't think we really want to accelerate the river velocity during peak flows.

MR. CHUNG: I think the Corps would agree with that. And I think the Regional Board would also agree with their hydro-modification policy. We don't want to change the hydrology. We want to maintain the dryness where applicable; we want to maintain the high flows down to normal levels; we don't want to change hydrology because that has adverse effects downstream. We agree with you.

How do we achieve that? We're all ears on that. I think that's something ripe for discussion, and that is something the Corps, the County, and the public will discuss on how that is achieved.

MR. PEUGH: I don't want to achieve it by abandoning upper parts of the flood plain.

MR. CHUNG: Again, "abandoned" isn't prescriptive; it's descriptive.

MR. OBERBAUER: It's like a technical geologic term. It's abandoned because the stream -- there is a part that's been abandoned by the river. That's all that we're talking about.

MR. PEUGH: No, it isn't, Tom. That's the case in a lot of rivers, but here, it's just we haven't -- it doesn't rain very often here, so people forget it's in the flood plain. And once every 20 years, it's no longer abandoned. It's fully functioning in the

flood plain. So the term "abandoned flood plain" doesn't really apply here because our rivers don't have -- we don't get great geological shifts.

MR. CHUNG: Well, yes, I think it's best that we not use that term. I know in the technical literature we have, it has a specific meaning. It's a special term. But let's avoid that term in the actual EIS and SAMP in order to avoid that ambiguity.

MS. MATTSON: Is it defined by a specific hydrologic event, like one and a half to two years or --

MR. CHUNG: The way we define it is --

MR. PEUGH: 10 to 100 years.

MR. CHUNG: Yeah, 10 to 100 years. That's how we define it as. But nevertheless, that is the way some hydrogeomorphologists describe it. It means certain things to him. It's a descriptive term, not a prescriptive. And within our environmental documents, we won't use that term because there is some ambiguity in the meaning.

MR. PEUGH: Okay.

MR. CHUNG: And the first -- about Chula Vista, sorry, Josie. That was an oversight. We'll put that back in there.

MR. OBERBAUER: Does anyone else have any other questions?

Thank you for coming to the meeting. If you have any specific comments you want to make, you can speak to the court reporter, and fill out one of those sheets and mail it back to the address here.

Thank you very much.

(TIME NOTED: 7:55 p.m.)

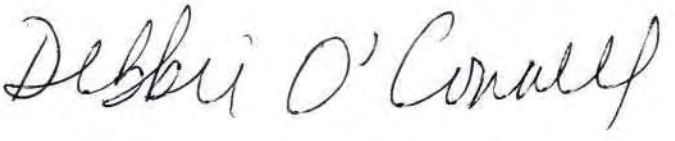
STATE OF CALIFORNIA.)
) SS.
COUNTY OF SAN DIEGO)

I, Deborah M. O'Connell, CSR No. 10563, a Certified Shorthand Reporter in and for the State of California, do hereby certify:

That said hearing was taken down by me in shorthand at the time and place named therein and was thereafter transcribed by me; that this transcript contains a full, true and correct record of the proceedings which took place at the time and place set forth in the caption hereto.

I further certify that I have no interest in the event of this action.

EXECUTED this 13th day of May, 2008.



Deborah M. O'Connell, CSR No. 10563